REMARKS

I. Introduction

In response to the Office Action dated March 11, 2005, claims 1, 8, and 15 have been amended. Claims 1-21 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Acknowledgement of Previously Filed Information Disclosure Statements

Applicant notes that an information disclosure statement and Form 1449 (copy enclosed) were filed with the application on August 18, 2003. In addition, a Supplemental Information Disclosure Statement and Form 1449 (copy enclosed) were filed on June 17, 2004. However, the pending Office Action fails to acknowledge both Form 1449s with appropriate initials. Accordingly, Applicants respectfully request consideration of the art cited in the previously filed Form 1449s followed by acknowledgement of such consideration by duly noting the Form 1449s with appropriate initials.

III. Claim Amendments

Applicants' attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required for patentability or to distinguish the claims over the prior art.

IV. Prior Art Rejections

On page (2) of the Office Action, claims 1-3, 5-6, 8-10, 12-13, 15-17, and 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goodenough et al., "Queries and Their Application to Reasoning with Remote Sensing and GIS," (Goodenough) in view of Drutman et al., "Marine Geophysics Modeling With Geographic Information Systems," (Drutman). On page (10) of the Office Action, claims 4, 7, 11, 14, 18, and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goodenough in view of Drutman as applied to claims 1, 8, and 17, and further in view of Slik et al., U.S. Patent No. 5,809,145 (Slik). Applicants respectfully traverse these rejections.

Specifically, the independent claims were rejected as follows:

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As per claim 1, Goodenough teaches the claimed "method of obtaining a map in a computer graphics program" comprising: "receiving a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtaining a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determining, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

As per claim 8, Goodenough teaches the claimed "apparatus for obtaining a map computer-implemented graphics system" comprising "(a) a computer" (Goodenough, the SEIDAM intelligent system; page 1199, column 1, lines 41-46); "(b) an application executing on the computer" (Goodenough, the problem solver is written in Prolog; page 1203, column 1, lines 32-34), wherein the application is configured to: "receive a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 20 years; page 1201, column 2, lines 55-58); "obtain a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determine, from the map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtain the map data from the location, wherein the obtained map data satisfies the request for the map picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

As per claim 15, Goodenough teaches the claimed "article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map" comprising: "receiving a request for a map picture" (Goodenough, the query to request a map that shows the forest depletion over past 10 years; page 1201, column 2, lines 55-58); "obtaining a map file" (Goodenough, a map file comprises the GIS files of the desired site dated 20 years ago, the thematic mapper (TM) and color infra-red geocoded imagery over the site; page 1201, column 2, lines 60-62); "determining, from the

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map file, a location of map data" (Goodenough, to determine the location of the map data related to the areas representing depleted forest cover; page 1201, column 2, lines 64-66), "wherein the map data defines one or more map objects of the map picture" (Goodenough, the depleted forest cover is the map object of the map picture; page 1201, column 2, lines 64-66); and "obtaining the map data from the location, wherein the obtained map data satisfies the request for th emap picture" (Goodenough, the data from the thematic mapper is obtained to satisfy the request for the map showing the forest depletion over past 20 years; page 1203, column 1, lines 11-12). It is noted that although Goodenough teaches the GIS data in both of raster and vector formats (Abstract, lines 1-3); Goodenough does not explicitly teach that the obtained map data is "vector based" map data. However, Drutman teaches that the feature map information, such as Goodenough's depleted forest area, is preferably represented in vector based format (Drutman, representation of feature/attribute; Table II, page III-529). It would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Drutman, to configure Goodenough's method as claimed by storing the map representing the area's features in a vector format because the vector based data for the features or attributes of an area provides more convenient process than the raster format (Drutman, page III-528, column 2, lines 28-30).

Applicants traverse the above rejections for one or more of the following reasons:

(1)   Goodenough, Drutman, and Slik do not teach, disclose or suggest a map file that provides a storage location of vector based map data;

(2)   Goodenough, Drutman, and Slik do not teach, disclose or suggest the ability to determine a storage location of vector based map data that defines a map object for a requested map picture; and

(3)   Goodenough, Drutman, and Slik do not teach, disclose or suggest obtaining vector based map data from a storage location wherein the vector based map data satisfies a request for a map picture.

Independent claims 1, 8, and 15 are generally directed to obtaining a vector based map in a graphics program. As claimed, a request is received for a map picture. In response to the request, a map file is obtained. As used in the subsequent claim steps, the map file contains a location of vector based map data. Accordingly, the method determines, from the map file, a storage location of the vector based map data. Further, the vector based map data defines one or more map objects of the map picture that has been requested. Once the storage location has been determined, the vector based map data is obtained from the location. In this regard, the retrieved/obtained vector based map data satisfies the request for the map picture.

In view of the above, the claims clearly provide that a map picture is requested and a map file that references locations of vector based map data (that defines map objects) for the map picture is obtained/retrieved.

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The cited references do not teach nor suggest these various elements of Applicants' independent claims.

In rejecting the claims, the Office Action relies on Goodenough to teach the map file, location of map data, map objects, and the obtaining of map data from the storage location. Under the analysis presented in the Office Action, the location of Goodenough's map data merely refers to an map area that represents depleted forest cover. However, the presently amended claims provide that the location is a storage location for the vector based map data. Accordingly, the location of Goodenough clearly fails to teach or suggest, explicitly or implicitly, the storage location as set forth in the present claims.

The Office Action continues and provides that Goodenough's data from the thematic mapper shows the forest depletion over the past 20 equates to obtaining the map data from the location relying on page 1203, column 1, lines 11-12. However, page 1203, column 1, lines 11-12 provides "At this point we have expended no major processing costs in creating this plan". Such a teaching does not even remotely allude to obtaining data of any sort. Further, the amended claims specifically provide for obtaining the vector based data from the determined storage location as set forth in the map file. Such a teaching is clearly lacking from Goodenough.

The Office Action further admits that Goodenough fails to teach that the obtained map data is vector based map data. In this regard, Applicants submit that not only do the claims require vector based map data but the claims as a whole must be examined. MPEP 2141.01 provides that in determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). The context of the claims and the invention as a whole utilizes a map file that contains locations of vector based map data which is then retrieved to satisfy a request for a map picture. Accordingly, this "whole" concept and use of the map file and vector based map data cannot be disregarded. The Office Action attempts to extract vector based map data from one reference and a location of trees that appear in a map to read on the claim language. Such an assertion fails to consider the claim as a whole and whether the claimed invention as a whole would have been obvious in view of the cited references.

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Applicants further submit that Drutman and Slik also fail to cure the deficiencies of Goodenough. In this regard, none of the cited references even recognize the problems or the solution presented by the present claims.

Moreover, the various elements of Applicants' claimed invention together provide operational advantages over Goodenough, Drutman, and Slik. In addition, Applicants' invention solves problems not recognized by Goodenough, Drutman, and Slik.

Thus, Applicants submit that independent claims 1, 8, and 15 are allowable over Goodenough, Drutman, and Slik. Further, dependent claims 2-7, 9-14, and 16-21 are submitted to be allowable over Goodenough, Drutman, and Slik in the same manner, because they are dependent on independent claims 1, 8, and 15, respectively, and thus contain all the limitations of the independent claims. In addition, dependent claims 2-7, 9-14, and 16-21 recite additional novel elements not shown by Goodenough, Drutman, and Slik.

V. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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